

(2)

TO THE *His Royal Highness The Prince*
of Wales, Regent of the United Kingdom
KING'S MOST EXCELLENT MAJESTY,

THE
MEMORIAL
OF

NICHOLAS TOMLINSON, Esq.

Late a Captain in YOUR MAJESTY'S Navy,

And one of the Magistrates for the County of

HUMBLY SHEWETH,

THAT he served *thirty two* Twenty-six Years in the Royal Navy, and was *thirty six* sixteen Years of that Time a Commissioned Officer; ~~having been made~~
~~a Lieutenant in 1782, a Master and Commander in 1795, and a Post~~
~~Captain in 1796.~~

that long That in the course of the said Period your Memorialist was (he really believes) upwards of ~~A Hundred~~ Times engaged with the Enemy, and *was* frequently (though ~~but~~ once dangerously) wounded in Your Majesty's Service. *and at the*

after a lapse of so many years That notwithstanding it may be difficult for him to particularize every Action in which he fought, yet he trusts that the following short Account of some of them will be sufficient to induce Your Majesty to think favourably of his Services. *R. Highgate*

the commanding officer In 1779, he was Aid-du-Camp to Commodore LUTTRELL, on board the ~~Charon~~, at the Siege and Taking of Fort Omoa, as appears by the Certificate marked A. *copied from the original*

with another ship In 1780, he was in the same Ship when she engaged and took the Count D'Artois, a French Sixty-four Gun Ship, as appears by the Certificate marked B, and continued in her until she was burnt by the Enemy at York Town, in America, when your Majesty's Memorialist, with a part of the Ship's Company, were employed on Shore in the

A

advanced

1781
advanced Lines, and obtained the Thanks of Lord CORNWALLIS, who was then Commander in Chief. Before the said Ship was destroyed, Your Memorialist commanded a Gun-Boat, in the Expedition under ~~General ARNOLD up the James River, and in the Chesapeake~~, and was actually engaged in fighting the Enemy (more or less) almost every Day, and frequently two or three Times in the same Day, from the beginning of January to the Month of March, and was taken Prisoner at York Town with Lord CORNWALLIS's Army, as appears by the Certificate marked C.

In January 1782, Your Majesty's Memorialist came to England, and in March following was honoured with a Lieutenant's Commission for the Bristol, and in September that Year sailed as first Lieutenant of her to the East Indies, where she arrived time enough to be in the last general Action between Sir EDWARD HUGHES and Mons. SUFFREIN. And before that Action took place, Your Majesty's Memorialist, in assisting to put out a Fire on board the Duke of Athol East Indiaman, in Madras Roads, was, with Six other Lieutenants, who were all killed, and upwards of Two Hundred Men (most of whom were killed likewise), blown up, and had nearly lost his Life, as appears by the Certificates marked D and E. *and was the only officer on board who survived with his life*

That Your Majesty's Memorialist, in consequence of the Shock he received on board the Duke of Athol, was obliged to return to England in the Juno (as appears by the Certificate marked F), for the Recovery of his Health.

That he no sooner found himself fit for Duty, (which, however, was not the Case for upwards of Sixteen Months after his return in the Juno,) than he applied again for Service, and was appointed to the Savage, in which Sloop he continued for more than Three Years, (as appears by the Certificate marked G,) in which Time he saved the Lives of Two of *his* Your Majesty's Subjects at the imminent risk of his own Life; once by jumping overboard, as appears by the Letter No. 9 from THOMAS CARTER, Esq. Private Secretary to his Grace the Duke of PORTLAND,) to save the Life of Mr. CAMPBELL (a Relation of Mrs. CARTER's) who had fallen into the Sea, and another Time by venturing in a small Boat, after a Fisherman whose Boat had overset near to the Ship, in a Storm of Wind, which increased so fast and so much as to prevent Your Majesty's Memorialist from returning to the Savage: and it was with the greatest Difficulty that he and his Boat's Crew avoided being

He saved the life of a Fisherman (at the risk of his own) whose Boat had upset in a hard gale of wind



which is recollated by Capt. ~~W. R. R.~~

[3]

drowned, after they had picked up the poor Fisherman. Both these Circumstances Your Majesty's Memorialist believes are recorded in the Log-book of the Ship.

That soon after he left the *Savage*, Your Majesty's Memorialist offered his Services generally, and applied to the Board of Admiralty for Employment, and in the Spanish Armament of 1790 was sent to *Greenock* upon the Impress Service; under the Command of Captain BRENTON, to whose Certificate (marked H) of his active Conduct, your Memorialist begs leave to refer Your Majesty.

That at the Request of the Right Honourable Lord HAWKE, (your Memorialist's Friend and Patron), Count WORONTZOW, the *Russian* Ambassador at the *British* Court, recommended Your Majesty's Memorialist to her Majesty the Empress of *Russia*, who ordered him to be appointed Captain of one of her Line of Battle Ships, and accompanied his said Appointment with an Order to the whole *Russian* Fleet, of which the Paper marked I, is a translated Copy.

That upon the breaking out of the War between *France* and *England*, Your Majesty's Memorialist joyfully quitted all those flattering Prospects, which the aforementioned Appointment held forth to him, and returned immediately to his native Country, and made an Offer of his Services, and was appointed to the *Regulus*, in which Ship he served as First Lieutenant for eight Months, and then left her to take the Command of the *Pelter* Gun Vessel, at the Request of Sir SYDNEY SMITH.

That in *April*, 1795, Your Majesty's Memorialist in the said Vessel attacked (with an Intention to Board one of them) three Gun Vessels, two of which were of equal Force with the *Pelter*, in the Road of *Etaples*, upon the Coast of *Normandy*, while they were under the Protection of a Battery, and a particular Account of the Transaction was sent to Mr. NEPEAN on the 16th of the same Month.

That in *May* following Your Majesty's Memorialist, in Company with the *Diamond*, *Syren*, and six Gun Boats, under the Command of Sir SYDNEY SMITH, was engaged in an Attack upon a Battery of considerable Force, at *St. Cass*, on the *French* Coast.

That in the following Month Your Majesty's Memorialist sailed under the Orders of Sir JOHN WARREN, to *Quiberon Bay*, where he was employed to cover the Landing of the Troops, and in attacking
(with

(with three other Gun Vessels) a Ship of Twenty-four and a Cutter of Ten Guns, which they destroyed, in the River Morbean, and in various Skirmishes along that Coast, in which his Conduct was witnessed and very much approved by Captain BERTIE, of the *Thunderer*, who commanded in chief the Gun Vessels on these Occasions. In this Expedition Your Majesty's Memorialist was ordered by Sir JOHN WARREN to attack a Fleet of Chasse Marees off the River Crach, which he did, and took one of them, although she had anchored under a Battery at the Mouth of the River, which Battery Your Majesty's Memorialist first of all silenced: and on this Occasion his Conduct was witnessed by the Commodore, and the rest of the Squadron, who approved of it so much, that the Vessel was given by them as a Prize to the *Pelter* alone, as appears by Sir JOHN's Letter to Mr. LONG of the Treasury, marked K.

Again, on the same Expedition, when the Army was beaten, and were retreating, Your Majesty's Memorialist, unassisted by any other Vessel, went so near, and continued running along the Coast so advantageously with the Troops, as to be able to cover their Retreat, and prevent the Enemy from destroying the greatest part of them, thereby giving them (which they otherwise would not have had) an Opportunity to capitulate, for which your Memorialist received the Thanks of Sir JOHN WARREN, as appears by the Paper marked L, after Sir JOHN had, on the Quarter-Deck of *La Pomone*, in the Presence of the Officers of that Ship, and a Number of Captains of the Navy, and a General and several other Officers of the Army, personally, and in very flattering Terms thanked your Memorialist for his Behaviour on that Occasion.

From that Time to the 20th of August, Your Majesty's Memorialist continued cruising, and the Fatigue endured by him and his Vessel's Crew was so great, that nearly thirty of her Complement (which consisted of no more than fifty) were actually confined to their Hammocks, and the rest, with Your Majesty's Memorialist at their Head, were in so reduced a State, that the Vessel was obliged to be towed Home by Your Majesty's Ship the *Robust*.

On her arrival at *Portsmouth* the *Pelter* was paid off, and Your Majesty's Memorialist was put into the *Glory*, as First Lieutenant, but removed again in November to the *Vessuve*, another Gun Vessel, and on the 29th of the same Month was promoted to the Rank of a Commander, and commissioned for the *Suffisante* Sloop of 14 Guns. and 86 Men

The Day after leaving the Downs in the said Sloop, for the first Time, he retook a Ship and a Brig that had been captured by the Enemy. He was

was then sent by Vice-Admiral ONSLOW, to cruize in the Channel, and on the 27th of May Your Majesty's Memorialist chased and came up with amongst the Rocks, on a Lee-Shore on the Enemy's Coast, close to *Brest Water*, and engaged and took the *Revanche* National Brig of Twelve Guns and Eighty-five Men, for which he obtained the Approbation of the Admiral, which Your Majesty will see by condescending to refer to his Letter to Mr. NEPEAN, of the 29th of May 1796, a Copy whereof your Memorialist was furnished with by the Admiral's Order, and is hereunto annexed, marked M. And Your Majesty's Memorialist, for his Services on that Occasion, was likewise honoured with a Piece of Plate by, and the Thanks of, the Committee for encouraging the Capture of *French* armed Vessels, presented and transmitted to him by Sir RICHARD NEAVE, Bart. as will appear by the Papers marked N and O: and, which was still more gratifying, Your Majesty's Memorialist's Conduct was approved, and he was congratulated on his Success by the Lords of the Admiralty, in a Letter from Mr. NEPEAN, marked P. Your Majesty's Memorialist, in the Month of June following, took a *French* Privateer, called the *Patriot*, and a Ship under American Colours, with Contraband Property on board.

On the 27th of the same Month, Your Majesty's Memorialist re-took two *British* Ships laden with Wine from *Oporto*, and on the following Day engaged and took the *Morgan*, a *French* Privateer, and, (manning her immediately) gave Chase to and re-took four valuable Merchant Ships that had been captured by her, (and on the 29th made Prize of a *Danish* Brig laden with *French* Property) for which Your Majesty's Memorialist again received the Thanks of the Committee for encouraging the Capture of *French* armed Vessels, and also the Thanks (marked Q) accompanied with a Piece of Plate, from the Committee of the Court of Directors of the *Royal Exchange Assurance*, transmitted to Your Majesty's Memorialist by Mr. WATSON, their Secretary, in the Letter marked R: and for Vice-Admiral ONSLOW's Opinion of this Transaction, Your Majesty's Memorialist begs leave to refer Your Majesty to the Vice-Admiral's Letter of the 30th of June 1796, marked S.

On the 1st of August following, Your Majesty's Memorialist attacked, upon the *French* Coast, a Convoy of seventeen Merchant Vessels, protected by a Brig of Sixteen Guns, and two Cutters of Fourteen Guns each, and drove on Shore and destroyed Eight of the Merchant Vessels, which was witnessed by Sir JOHN WARREN, who in the Evening passed by and saw the Wrecks of the Vessels amongst the Rocks, where

also the *Suffisante* was at an Anchor, and in Danger of being lost. Your Majesty's Memorialist ^{was on this occasion} can boast of no other Mark of public Approbation of his Conduct on this Occasion, than Mr. NEPEAN's Letter, marked T, as ~~Your Majesty's Memorialist's Account of the Transaction~~ ^{was never published}.

Early in the same Month Your Majesty's Memorialist took a Schooner, with *French* Property on board, and a large *French* Ship laden with Rice and Wine; and on the same Day a *Dutch* Vessel laden with Wine, and about the middle of the Month, a large Ship with Masts and Spars for the King of *Spain*, which Cargo was landed for the Use of Your Majesty's Dock-Yard at *Plymouth*.

On the Day following, Your Majesty's Memorialist took a *French* Vessel under *American* Colours, laden with *French* Property, which was condemned.

The Sloop, after docking, failed in the Month of *September*, and early in *October* Your Majesty's Memorialist took four *Spanish* Vessels, three of which he sent into *Plymouth*, and the other he dispatched with the Prisoners to *Spain*.

Your Majesty's Memorialist continued cruizing in the said Sloop until the Month of *December* in that Year, when he was (he flatters himself, and thinks he is warranted by Lord SPENCER's Letter to him, marked V, in believing, for his Services) promoted to the Rank of Post Captain, but not appointed to any Ship upon Service. He volunteered his Services during the Mutiny, and was honoured with the two Letters N^o 2^o and 3^o, from Lord SPENCER.

Your Majesty's Memorialist, impatient of being idle, frequently solicited a Ship, but having no Prospect of immediate Employment, and being desirous of further distinguishing himself by distressing the Enemy, he made an Offer to Lord SPENCER, of fitting at his own Expence, and commanding in Person a private Ship, but was informed by his Lordship, (who honoured Your Majesty's Memorialist with the Letter marked W,) that it would be improper to grant Your Majesty's Memorialist Leave for that Purpose.

Your Majesty's Memorialist still anxious to distress the Enemy, and considering the aforementioned Letter of Lord SPENCER only as a Refusal of the *public sanction* of the Board to Your Majesty's Memorialist's

ist's public request, but not intended to prevent him altogether from serving his Country as a private Individual, determined to send a Vessel into the Mediterranean, under the Command of a Man of approved Courage and Ability, and requested leave of the Board of Admiralty to go himself to Oporto, to establish a Correspondence for the said Vessel; which having obtained, (by the Paper marked X) he took his Passage on board his own Vessel, called the *Lord Hawke*, commanded by ~~himself~~ *Lord Hawke*

NEALE he filled out a private ship of 40 or 50 tons and gave the command of her to *James Neale* a private seaman *left*

On the 6th of August 1798, the *Lord Hawke* sailed from Plymouth for *and your Mem* her Station in the Mediterranean, with an Intention to call at Oporto to *sailed in her* land Your Majesty's Memorialist; but before she reached Cape Finisterre, *for Oporto to* having captured eight of the Enemy's Vessels, and retaken one valuable *with leave* British Merchant Ship, and destroyed a French Privateer, the Crew of *for Oporto to* the *Lord Hawke* was so much reduced, as to make it necessary for her to return to England for *her* Officers and Men, without which she could not prosecute with Effect her intended Voyage, and on the 11th of September she relanded Your Majesty's Memorialist at Plymouth, from whence he had been absent only five Weeks.

That previously to his sailing from Plymouth, Your Majesty's Memorialist knowing the *Lord Hawke* to be a very fast Sailer, and likely to run *your* Majesty's Cruizers off their Stations, *so independent as to* procured a Copy of the private Signals in Use in the Channel Fleet, merely with a View to prevent any of the Ships of that Fleet from chasing him unnecessarily.

That agreeably to your Memorialist's Expectation, the *Lord Hawke* was several Times chased by English Cruizers, *who* were prevented from running off their Stations by the said private Signal being made to them.

That Your Majesty's Memorialist, from the Moment he obtained the said Private Signals, until he delivered them into the Hands of Mr. NEPEAN, at the Admiralty, never once entrusted them to the Care or Custody of any Person whatever, nor made any other Use of them than is hereinbefore stated; nor was any Person belonging to the *Lord Hawke*, on board which Vessel they were so used by Your Majesty's Memorialist, made acquainted (directly or indirectly) with their Signification, *as* (Your Majesty's Memorialist trusts) will plainly appear from the Papers marked Y and Z.

That

That on the 13th of *December* 1798, Your Majesty's Memorialist was *for the* informed by Mr. NEPEAN's Duplicate Letter N^o. 4, that the Lords of the Admiralty had thought fit to *dismiss* Your Majesty's Memorialist *from* Your Majesty's Service.

off the list of naval Captains to which however he was
That Your Majesty's Memorialist petitioned their Lordships to rescind their said Resolution, but was informed by Mr. NEPEAN that their Lordships "saw no Grounds in his Memorial for altering their original Determination on his Case."

to conceal considering that by so doing (and the usual security) he had forwarded your Majesty's service by making them to the ships of war and thereby procured the clearing this station in case of the Lord's death
That Your Majesty's Memorialist hath since solicited, but in vain, to be made acquainted with the precise Cause of his Dismissal; all he knows of the Matter is, that the Complaint alluded to in the aforementioned Letter, No. 4. consisted of some Papers stating that he had made use of the aforesaid Private Signals on board the *Lord Hawke* Privateer (where he was a Passenger, bound to *Oporto*, with Leave from the Board of Admiralty) which Your Majesty's Memorialist in his Petition to their Lordships neither denied nor attempted to justify.

That Your Majesty's Memorialist is ignorant of any other proceedings of his on board the said Privateer, that should have subjected him to this very heavy Displeasure of the Board of Admiralty, and for which they have punished him so severely. He can, indeed, imagine that their Lordships' Displeasure arises, partly from his having used the aforesaid private Signals, and partly from his having fitted out the said private Ship of War, after he received Lord SPENCER's Letter. But then the Punishment is so disproportioned to either or both of those Offences (even supposing them to have been wilful), that he hardly feels himself warranted in entertaining such a Notion. In the Event, however, of this Conjecture being well founded, Your Majesty's Memorialist begs leave to repeat, and humbly entreats Your Majesty to believe what he says, that he obtained the said private Signals for the best of Purposes, and used them on no other Occasions than those which are noticed in his aforementioned Affidavit. And with regard to the Letter, he solemnly declares, that he did not conceive it extended to him in his *private* Capacity, but considered it as he has before stated, merely as a Refusal to sanction Your Majesty's Memorialist with *public* Leave for that particular Purpose. In whatever Light Your Majesty shall be pleased to view this Business, Your Majesty's Memorialist, at least for the present, must consider himself the most unfortunate of Your Majesty's Subjects, inas-

much

much as, by his Loyalty and Zeal to serve Your Majesty, he has brought upon Himself and Family the heaviest of Calamities. When the Kingdom was threatened with Invasion, and Your Majesty from the Throne, the Lords and Commons in Parliament, and Your Majesty's Ministers, in their several Departments, called upon every Servant of the Crown, and recommended to every Individual of the State, to exert themselves jointly and severally, to the utmost of their Abilities, Your Majesty's Memorialist, anxious to be foremost amongst the many who were willing to sacrifice their Lives and Fortunes in Defence of Your Majesty's Person and Government, stood forth (he is afraid now with too little Ceremony) in a Way that he then thought, and afterwards found, to be the best in which his Services, as a private Individual, (for he was upon *Half-pay*, and unable to obtain any Public Employment) could prove him devoted to Your Majesty, and shew his Ambition and Readiness to spill his Blood, and to spend his Fortune, in the Service, and for the Good, of his Country.

Your Majesty's Memorialist never pretended to justify the Acts of obtaining and using the said private Signals; on the contrary, he is now sensible of, and has humbly acknowledged to their Lordships the Impropriety of, his Conduct, although he can safely call the Almighty to witness the Purity of his Intention in doing both the one and the other; and in the most solemn Manner he begs Leave humbly to assure Your Majesty, that instead of injuring, he had in View, as he said before, only the Benefit of Your Majesty's Service, which, no doubt, was materially assisted; and in all probability the Lives of several of Your Majesty's Subjects were saved by his having the said private Signals in his possession, as appears by the aforementioned Affidavit, marked Y. Neither has Your Majesty's Memorialist presumed to call in question their Lordships' Right of pronouncing on him, without a Trial, the hard—the very hard and severe Sentence of *Dismissal* for an Error, which, in its worst Shape, Your Majesty's Memorialist will presume to hope may be considered as venial.

And when it shall be remembered that Your Majesty's Memorialist has served Your Majesty full six and twenty Years, with Zeal, Fidelity, and Honour; that in the course of that Period he has been nearly as often in Action as any other Man in Your Majesty's Service; that as a Subaltern he was engaged in the Capture of Five of the Enemy's Ships of War; that as a Commander he took and destroyed Twenty-one of

their Privateers and Merchant Vessels, and retook from them Nine (several of them very valuable) *British* Merchant Ships ; that he has frequently received the public Thanks of his Commanding Officers for his Gallantry, (to say nothing of the Approbation with which his best Exertions have been more than once honoured by the Lords of the Admiralty) and as Memorials of, and Rewards for, his Services to his Country, has been complimented with Two Pieces of Plate from the great Mercantile Bodies of the City of *London*—nay—that even in the Voyage which brought upon him this ever to be lamented Displeasure of the Board of Admiralty, he recaptured One, and took and destroyed Nine Vessels, making in the whole, Thirty Vessels taken and destroyed, and Ten Vessels retaken from the Enemy by your Majesty's Memorialist ; he humbly hopes he shall not be deemed presumptuous in requesting that Your Majesty would be graciously pleased to consider his Case, and (calling to Your Majesty's Recollection the Number of Instances of Punishments mitigated, even for Offences *proved* to have been injurious to the State, and derogatory to the Honour of the Nation, but resulting from Error in Judgment only, and not accompanied with any apparent Intention to do Wrong) accept of this his Acknowledgment of the Error he has inadvertently committed, and order him to be restored to his former Rank and Situation in Your Majesty's Navy.

All which is most humbly submitted by Your Majesty's dutiful and devoted Subject and Servant,

NICHOLAS TOMLINSON.

January 18th, 1800.



CERTIFICATES, LETTERS, &c.

REFERRED TO

BY (THE LATE CAPTAIN)

NICHOLAS TOMLINSON,

IN HIS

MEMORIAL

TO

THE KING,

Dated the ^{18th} ~~23^d~~ of ^{January} ~~DECEMBER,~~

~~1799~~

1800

CORRIGAN, HENRY, &

DELIVERED TO

(BY REGISTERED CARRIER)

NICHOLAS TOMLINSON



MEMORIAL

TO

THE KING

Delivered the 30th of December

1863

1863

A.

THESE are to certify, That Mr. NICHOLAS TOMLINSON served as Midshipman on board his Majesty's Ship the *Charon*, under my Command, from the 10th Day of *March* 1779, until the 25th Day of *June* 1780, in the *Channel* and the *West Indies*, and that he acted as my Aid-dû-camp at the Siege of Fort *Omoa*, in the Gulph of *Honduras*, during which Time he conducted himself with Diligence, Attention and Sobriety, and was always obedient to Command.

Given under my Hand this 1st Day of *May*, 1792,

J. L. OLMIOUS.

D

A.

THESE are to certify that the following is a true and correct copy of the original as submitted to the Secretary of the Navy, Department of the Navy, Washington, D.C., on the 10th day of March, 1900, in the presence of the undersigned, who is a member of the staff of the Secretary of the Navy, and was duly received and filed for the purpose of being made a part of the records of the Department.



Very respectfully,
[Signature]

B.

THESE are to certify the Right Honourable Lords Commissioners of the Admiralty, that Mr. NICHOLAS TOMLINSON served with me as a Midshipman on board of His Majesty's Ship the late *Charon*, from the 10th of *March* 1779, to the 10th of *October* 1781, during which Time his Behaviour was such as merited the Esteem of every Officer of the Ship, and particularly in the Action with the *Count D'Artois* off the Coast of *Ireland*.

CHARLES ROBB,
MASTER OF THE LATE CHARON.

THESE are to certify the Right Honourable Lords Commissioners
of the Admiralty, that Mr. Nicholas T. Nicholson served with me as
a Midshipman on board of His Majesty's Ship the *Exeter*, from the
10th of March 1779, to the 10th of October 1781, during which time
his behaviour was such as merited the esteem of every Officer of the
Ship, and particularly in the Action with the *Count d'Artois* off the
Coast of France.

CHARLES ROBE
MASTER OF THE SHIP *Exeter*



C.

THESE are to certify, That Mr. NICHOLAS TOMLINSON served as Midshipman on board His Majesty's Ship the *Charon*, under my Command, in *America*, from the 25th Day of *June* 1780 until the 10th Day of *October* 1781, when that Ship was burnt by hot Shot from the Enemy's Guns; and that he commanded a Gun boat part of the Campaign of 1781, on the Rivers in *Virginia*, under Gen. ARNOLD and Lord CORNWALLIS; after which, he served under my Command at the Batteries of *York Town*, until that Place was taken, and his Conduct during that Time was that of an attentive good Officer, in whose Favour I shall always be ready to speak.

Given under my Hand this 2d Day of *May* 1792.

THOMAS SYMONDS.

E

These are to certify that Mr. Nicholas T. ...
Michigan on board the ship ...
in ... from the ...
of October 1881, when that ship was ...
Gates and that he accompanied a ...
on the River in ... under ...
after which, he served under ...
There, until that place was ...
that ...
ready to speak.



D.

THIS is to certify, That Lieutenant NICHOLAS TOMLINSON served as second Lieutenant of His Majesty's Ship the *Bristol*, under my Command, in the *Channel* from the 23d Day of *March* 1782 until the 1st of *September* following, and as first Lieutenant from that Date until the 14th of *September* 1784, in a Voyage to the *East Indies*, and on several Cruizes and Expeditions on the Coasts of *Coromandel* and *Malabar*, during all which Time his Conduct was that of an active and a diligent Officer.

Given under my Hand this 1st Day of *May* 1792.

JAMES BURNEY.

E.

THIS is to certify, That being in *Madras Road*, on the 19th of *April* 1783, in His Majesty's Ship *Bristol*, under my Command, on the Ship *Duke of Athol*, belonging to the *East India* Company, taking Fire, Lieutenant NICHOLAS TOMLINSON, the first Lieutenant of the *Bristol*, (the Officer who was ordered on that Service not being immediately ready) did go with the Boats of the *Bristol* to assist in the Endeavour to extinguish the said Fire. That whilst he was in the *Duke of Athol*, she blew up, by which the Lives of many Men were lost, (nineteen belonging to the *Bristol*) and Lieutenant NICHOLAS TOMLINSON did then receive a violent Contusion in his Breast and Left Side, and his whole Body a dreadful Shock.

JAMES BURNIEY.

F

This is to certify that being in the ship of the name of the
 1783 in the month of May under my command
 Date of arrival belonging to the said ship company
 Captain Thomas Towns of the said ship
 Officer who was ordered on that service not being immediately ready
 did go with the boats of the ship to the place of the wreck
 upon the said first that which he was in the state of which the blow
 up by which the lives of many were lost
 the said ship and Lieutenant Thomas Towns did then receive a
 violent concussion in the breast and left side and by which body
 was much hurt.



JAMES BURNEY

F.

THESE are to certify, That Lieutenant NICHOLAS TOMLINSON served as first Lieutenant of His Majesty's Ship the *Juno*, under my Command, from the 14th Day of *September* 1784, until the 16th Day of *March* 1785, in the *East Indies*, and in a Voyage from thence to *England*, during which Time his Diligence and Attention to Duty as an Officer, and his Conduct as an experienced Seaman, were highly satisfactory.

Given under my Hand this 1st Day of *May* 1792.

JAMES MONTAGU.

(No. 1.)

EDGCOTT, near BANBURY,
25th August, 1799.

SIR,

YOUR Letter to Mr. ROBERT CAMPBELL of *Carradel*, which you sent under Cover to me, came here Yesterday, and as it was unsealed, I thought myself at liberty, under the present unfortunate Circumstances, to examine from whom it came.

I am much concerned to be obliged to inform you that Mr. ROBERT CAMPBELL died of a Decline about a Month ago.

The Fact you mention, of having saved his Life by jumping overboard, when he had fallen into the Sea from the *Savage*, is perfectly in Mrs. CARTER's Recollection, and she authorizes me to say that she has repeatedly heard it spoken of by him with the greatest Gratitude.

I am, Sir,

Your most obedient

Humble Servant,

THOMAS CARTER.

N. TOMLINSON, Esq.



G.

THESE are to certify, That Lieutenant NICHOLAS TOMLINSON served as Lieutenant of His Majesty's Sloop the *Savage*, under my Command, from the 10th Day of *July* 1786, until the 12th Day of *August* 1789, during all which Time he conducted himself as an active, zealous, good Officer.

Given under my Hand this 2d Day of *May* 1792.

RICHARD R. BURGESS.

G



H.

THIS Certificate has been mislaid, and cannot be found.



I.

IN an Ukaaze received from the Imperial College of Admiralty, through the Commissorial Department, it is written, That that College, in consequence of a Letter presented by the Admiral and Knight IVAN LOGINOVITCH GALINISHIFF KUTUSOFF, written to him by the Vice-Chancellor Count OSTERMAN, stating, that her Imperial Majesty, on the Representation of her Ambassador Extraordinary then residing in London, Count WORONTZOW, had condescendingly been pleased most highly to command to receive into her Service the *English* Lieutenant of the Navy, TOMLINSON, upon the same Foundation as other *English* Sea Officers had been received during the late War, to which Letter was annexed the Copy of another addressed to the said Vice-Chancellor by the above-mentioned Ambassador Extraordinary, and also original Certificates of the Service of that Lieutenant, from which it appears, as Count WORONTZOW in his Letter says, that this Officer entered the Service as Midshipman in the Year 772, served with the Rank of second Lieutenant in the Year 782, was appointed first Lieutenant in the Year 784, and continued without Intermission in the Service till the 12th of *August* 1790, in the Course of which Time he was in many different Actions and Commands, and throughout, both in Service and elsewhere, conducted himself orderly, and discharged his Duty with Obedience and Zeal, and he recommends him to the Chancellor strongly

as a Person of good Conduct, possessed of Qualities worthy of Employ, had determined to receive the said *English* Lieutenant of the Navy, TOMLINSON, into the Service, after the Example of his Countrymen who had before been received, to administer to him the Oath, to compute his Pay, his Provisions, and his Seniority, from the signing of his Appointment, that is, from the 5th of last *August*, and to appoint him to the second Division, upon which he was ordered by the Admiral to the Ship *Larutoff*, in the fifth Squadron, the Commander of which Squadron on board of that Ship will please to give Orders to receive him, administer to him the Oaths of Fidelity to the Service, enter him on the Lists, and commence his Pay.



K.

LA POMONE. *Plymouth*, 9th March 1797.

SIR,

I Take the Liberty of acquainting you of my having received a Letter from Captain TOMLINSON, who formerly commanded the *Pelter* Gun Vessel in *Quiberon Bay*, respecting a Chasse Maree belonging to the Enemy, which he cut out from under a Battery at the Entrance of the river *Crack*, in the above-mentioned Bay, on the 10th of *August* 1795.

The Vessel was valued at one hundred Pounds, and in consequence of the gallant Conduct of Captain TOMLINSON, the Squadron under my Command determined to allow the above Sum to the *Pelter*. The Chasse Maree was afterwards employed in carrying Water to the *Standard*, who then lay in *Bellisle* Road, and was on her Return to *Quiberon Bay* drove on Shore and totally lost.

As I did not give Captain TOMLINSON the Sum agreed for, no Application being at that Time made for Payment, it escaped my Recollection, and as I returned to Sir EDWARD PELLEW all the Money intrusted to my Care, which remained after the Expedition, I have to solicit you will be pleased to lay the Case before their Lordships, in order that the same may be allowed to the *Pelter*.

I am, &c.

JOHN WARREN.

CHARLES LONG, Esq.
Treasury.



L.

EXTRACT from Sir JOHN WARREN's Letter to the Admiralty,
dated 22d July 1795.

" I AM particularly indebted to the Zeal of Captain KEATS upon this
" as well as every former Occasion, who superintended the Embarkation,
" and also to Captain OGILVIE, who distinguished himself by the judi-
" cious Manner in which he placed his Ship to annoy the Enemy.
" Lieutenant TOMLINSON, of the *Pelter*, is also entitled to my Thanks,
" having attended the Enemy, and incommoded their March along
" Shore."

RECEIVED FROM JAMES W. BROWN, JR. to the Admiralty,
Said and New York.

I AM a trustee indebted to the Lord of Captain Adams upon this
"as well as every former transaction, who superintended the navigation,
and who to Captain Adams, who distinguished himself by the judi-
cious manner in which he placed his ship to destroy the enemy.
I have the honor, of the 11th, to be united to my friends,
having received the letter forwarded them March along



M.

CAMBRIDGE,
Hamoaze, 29th May, 1796.

SIR,

HIS Majesty's Sloop *La Suffisante* arrived here Yesterday Evening, with the National Brig *La Revanche*, which she captured on the 27th Instant, between *Ushant* and the *Main*, Particulars of which are contained in the inclosed Letter from Captain TOMLINSON.

From all the Accounts I hear, Captain TOMLINSON's Conduct upon this Occasion was highly honourable to himself as an Officer and a Seaman, as more Danger was attached to the *Suffisante*, from the Risque of Shipwreck upon the Enemy's Coast, in the Passage *Du Fore*, than from the Force of the Enemy, from which Difficulty he very ably extricated himself.

I am, Sir,

Your most obedient

Humble Servant,

RICHARD ONSLOW.

EVAN NEPEAN, Esq.

M.

Cambridge, Mass.
January 1st 1863

My dear Sir,
I have the honor to acknowledge the receipt of your letter of the 29th inst. in relation to the matter of the proposed amendment to the Constitution of the Commonwealth, which has been referred to the Committee on Education and the Committee on the Judiciary.

I am all the more interested in the subject upon which you have written, as it is one of the most important of the age, and one which will have a great influence upon the future of the Commonwealth. I have the honor to acknowledge the receipt of your letter of the 29th inst. in relation to the matter of the proposed amendment to the Constitution of the Commonwealth, which has been referred to the Committee on Education and the Committee on the Judiciary.



N.

SIR,

I AM requested by the Committee for the Encouragement of the Capture of *French* Privateers, Armed Vessels, &c. to transmit to you the inclosed Copy of their Minute of Yesterday, requesting your Acceptance of a Piece of Plate, as a Testimony of their Sense of your Merit in the Capture of the *Revanche* and *Morgan*, *French* Privateers, and Recapture of six *English* Merchant Ships.

And I beg you at the same Time to accept of my Acknowledgment for the Protection you have thereby afforded to the Commerce of this Country.

And am, Sir,

Your obedient humble Servant,

RICHARD NEAVE,

CHAIRMAN.

MERCHANT SEAMAN'S OFFICE.

Royal Exchange,

London, July 15th, 1796.

Captain TOMLINSON.

K

4

I AM requested by the Committee for the Improvement of the
Laws of the City of London, to inform you that they have
received your letter of the 14th inst. and in reply to inform
you that they have taken into consideration the same and
will endeavour to give effect to the same as far as possible
in the course of the present Session.

And I beg you will be assured of my acknowledgments
for the attention you have been good enough to bestow
on this subject.

Yours obedient humble servant,

RICHARD KEENE
CHAIRMAN.



MERCHANT STEAMSHIP OFFICE
Royal Exchange
London, July 18th, 1791
Captain Tomlinson

O.

MERCHANT SEAMAN'S OFFICE, *July* 14th, 1796.

MEETING OF THE COMMITTEE

For encouraging the Capture of *French* Privateers, Armed Vessels, &c.

SIR RICHARD NEAVE, Bart. in the Chair.

Resolved,

THAT Captain TOMLINSON, of His Majesty's Sloop *La Suffisante*, be requested by this Committee to accept of a Piece of Plate, value Fifty Guineas, in Acknowledgment of his gallant Behaviour in the Capture of the *Revanche*, *French* Brig, in the Action on the 27th of *May*, and also in the Action on the 27th of *June* last, when he captured the *Morgan*, *French* Privateer, and recaptured six *British* Merchant Ships, her Prizes, and in Testimony of the Sense this Committee entertain of the Protection he has thereby afforded to the Commerce of *Great Britain*.

O.

1796. Jan. 14th. Merchant Seaman's Office.

MEETING OF THE COMMITTEE

For encouraging the Capture of French Privateers, Armed Vessels, &c.

Sir Richard Neave, Bart. in the Chair.

Resolved,

THAT Captain Tomlinson, of His Majesty's Ship the *Swift*,
be rewarded by the Committee to the sum of a Piece of Plate value fifty
Guineas, in Acknowledgment of his gallant Behaviour in the Capture
of the *Neptune*, French Brig, in the Action on the 27th of May, and
also in the Action on the 27th of June last, when he captured the *Neptune*,
French Privateer, and recaptured six British Merchant Ships, her Prisoners,
and in Testimony of the Service this Committee entertain of the Protection
he has thereby afforded to the Commerce of Britain.



P.

ADMIRALTY-OFFICE, 30th May, 1796.

SIR,

HAVING communicated to my Lords Commissioners of the Admiralty, your Letter of the 28th Inst. giving an Account of your having, after a Chase of eleven Hours, come up with and captured the *Revanche*, French Brig, mounting twelve long Four Pounders, with a Complement of eighty-five Men, commanded by Monf. GEORGE HENRI DRAVE-MAN; I am commanded by their Lordships to acquaint you, that they approve of your Conduct, and are pleased with your Success.

I am, Sir,

Your very humble Servant,

EVAN NEPEAN.

Capt. TOMLINSON, *La Suffisante*, Plymouth.

L

2000-2001

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I have communicated to my Father's Correspondents by the Ad-
 ministrative your letter of the 25th inst. giving an Account of your having
 been Chief of eleven French troops up with and captured the fortress
 of Fort St. George, and the loss of Fort St. George, with a Comman-
 der of eight hundred men, commanded by Colonel de la Roche, and
 a Major, I am commended by them I nothing to acquaint you that they
 approve of your Conduct, and are pleased with your success.

1916, 1917

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Carl Tarricone, Jr. 2/2/68

Q.

At a COURT of DIRECTORS of the ROYAL-EXCHANGE-
ASSURANCE, 20th July, 1796.

THE Committee of Averages of the 14th Instant, having recommended a Piece of Plate, of the value of fifty Guineas, to be presented to Capt. TOMLINSON, of His Majesty's Sloop *La Suffisante*, in Consideration of his spirited and active Conduct in the Capture of the *Morgan*, French Privateer, and the Recapture of six Merchant Ships, her Prizes, on the 28th of June last, off the French Coast :

Resolved, That the Court do approve thereof, that the Secretary do acquaint Capt. TOMLINSON with the Resolution of the Court, and that the Company's Silversmith be directed to prepare a Piece of Plate accordingly, with a suitable Inscription thereon.

ALEX. WATSON, Sec.

AT A COURT IN DIRECTORS OF THE RAILWAY

1890

1 The Committee of Arrangements of the Exhibition, having recommended a place of deposit of the value of this deposit to be given to the Exhibition of the Museum of the Museum, as a permanent deposit, in consideration of his dignified and active conduct in the interests of the Museum, I have the honor to acknowledge the receipt of the deposit, and to place it at the disposal of the Museum.



R.

SIR,

IT is with the utmost Satisfaction I communicate to you the annexed Resolution of the COURT of DIRECTORS of the *Royal-Exchange-Assurance*.

As soon as I am favoured with your Address, Orders will be given to the Company's Silversmith to receive your Instructions.

I have the Honour to be,

SIR,

Your most obedient humble Servant,

ALEX. WATSON, Sec.

ROYAL-EXCHANGE-ASSURANCE,

26th July, 1796.

Captain N. TOMLINSON, of His Majesty's Sloop
La Suffisante, Plymouth.

M



S.

COPY of a LETTER from Vice-Admiral ONSLOW, commanding His Majesty's Ships and Vessels at *Plymouth*, to Mr. NEPEAN, dated *June 30th*, 1796.

“ HEREWITH I have the Pleasure to inclose a Letter from Captain TOMLINSON, of His Majesty's Sloop *La Suffisante*, containing Particulars of his Success in capturing the *Morgan*, *French* Privateer, and recapturing the six *English* Merchant Ships named in the inclosed List, that had been taken by her, and which you will be pleased to lay before my Lords Commissioners of the Admiralty.

“ So complete a Piece of Service, performed by a Vessel of such small Force as the *Suffisante*, I am persuaded their Lordships will admit, reflects great Credit on Captain TOMLINSON, his Officers, and Men.”



T.

ADMIRALTY-OFFICE, 5th August, 1796.

SIR,

HAVING laid before my Lords Commissioners of the Admiralty your Letter of the 1st Instant, acquainting me of your having fallen in with a Convoy of the Enemy, eight of which you had drove on Shore; I am commanded by their Lordships to acquaint you they are pleased with your Proceedings.

I am,

SIR,

Your very humble Servant,

EVAN NEPEAN.

Capt. TOMLINSON, *La Suffisante*.

(No. 2.)

SIR,

I RECEIVED this Morning your Letter of the 24th, and will make a Note of the Offer you have made of your Services, but am not sure that the present Occasion will make an Opening which may enable me to accept of them.

I am,

SIR,

Your very obedient

Humble Servant,

SPENCER,

ADMIRALTY, 27th May, 1797.

Capt. TOMLINSON.

(No. 3.)

SIR,

I WILL make a Minute of your Offer, for which I am obliged to you, but at present there is no Vacancy into which I could put you.

I am,

SIR,

Your very obedient

Humble Servant,

SPENCER.

ADMIRALTY, 12th June, 1797.

Capt. TOMLINSON.



V.

SIR,

NO one can feel more Satisfaction than I do at the Activity and Spirit of your late Conduct on several Occasions in the Command of the *Suffisante*, and I am happy to hear that it has obtained so many honourable Testimonies of Approbation. You may rely on its accelerating your Promotion, but I cannot immediately give you another Step, till an Opening offers of which I can avail myself consistently with some Arrangements I am at present obliged to make.

I am, SIR, with great Truth,

Your very obedient

Humble Servant,

SPENCER.

ADMIRALTY, 20th Aug. 1796.

Captain TOMLINSON.



W.

SIR,

I HAVE to acknowledge the Receipt of your Letter of Yesterday, and in Answer to it to acquaint you, that it would be improper to give you Leave of Absence for the Purpose mentioned in it.

I am, Sir,

Your very obedient

Humble Servant,

SPENCER.

ADMIRALTY, 9th Feb. 1798.

O

W.

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I HAVE to acknowledge the receipt of your letter of the 14th inst. and in answer to it to inform you that it would be very kind of you to send me some of the books mentioned in it.

I am, Sir,

Very respectfully,

Thos. B. Brown

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Thos. B. Brown

X.

ADMIRALTY-OFFICE, 14th July, 1798.

SIR,

I HAVE communicated to my Lords Commissioners of the Admiralty, your Letter of the 12th Inst. desiring Leave to go to *Oporto* on your private Affairs; and in return I am commanded to acquaint you, that their Lordships are pleased to give you three Months Leave for that Purpose, under the following Restrictions, viz.

That if, while absent, you go to any other Place than the above-mentioned, you immediately inform their Lordships' Secretary thereof.

That you do not enter into the Service of any Foreign Prince or State.

That if you do not return to *England* within six months, after being thereunto required by publick Notice in the *London Gazette*, you forfeit all the Half-pay that may be due to you.

That during your Absence, the Half-pay be not paid to your Representative, unless a Certificate is produced from one of His Majesty's Ministers or Consuls, or the Governor of one of His Majesty's Colonies or Settlements, of your being alive; together with the usual Affidavit, that you have not enjoyed the Benefit of any publick Employment; and your Leave of Absence, or a Copy thereof, attested by their Lordships' Secretary.

If you should have Occasion to continue longer Abroad than the Time for which your Leave is hereby granted, you are to apply in due Time to their Lordships for a Renewal of it; and when you return to *England*, you are to give them immediate Information thereof.

I am,

SIR,

Your very humble Servant,

EVAN NEPEAN.

Capt. TOMLINSON.

X

Admiralty-Office, 14th Nov. 1798.

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I HAVE communicated to my Lords Commissioners of the Admiralty your letter of the 14th inst. desiring leave to go to Oporto for your private Affairs; and in return I am commanded to acquaint you, that their Lordships are pleased to give you three Months Leave for that purpose, under the following Restrictions, viz.

That if while absent you go to any other Place than the above mentioned, you immediately inform their Lordships Secretary thereof.

That you do not enter into the Service of any Foreign Prince or State.

That if you do not return to England within six months, and being required by public Notice in the London Gazette, you forfeit all the Half pay that may be due to you.



I have desired your Affairs, the Honble the Secretary of the Admiralty, unless a Certificate is produced from one of His Majesty's Ministers or Consuls, or the Governor of His Majesty's Colonies or Settlements, or your being alive together with the said Minister, that you have not enjoyed the Benefit of any public Employment; and your Leave of Absence, or a Copy thereof, attested by their Lordships Secretary.

If you should have Occasion to continue longer than the time limited, your Lordships Secretary stands ready to supply in due time to you, a Certificate of a Letter of a Lord who you return to England, and who shall be chosen by their Lordships.

Y.

DEVON, }
to wit. }

NICHOLAS TOMLINSON, late Captain of His Majesty's Sloop *La Suffisante*, maketh Oath and sayeth, That on or about the 16th Day of *July* last this Deponent obtained Leave of the Right Honourable the Lords Commissioners of the Admiralty, to go to *Oporto* on his private Affairs, and accordingly embarked on board the private Ship of War *Lord Hawke*, as the least expensive and most safe Conveyance, she being a fast sailing armed Vessel, belonging solely to this Deponent, and sailed from *Plymouth* on the 6th of *August* following: And this Deponent further maketh Oath, that on the 8th of the said Month, the said private Ship of War being close to *Ushant*, fell in with the Grand Fleet to the Westward, and two Frigates to the Eastward, near *Brest*, and which this Deponent supposed to be the two In-shore Frigates attached to the said Fleet, and stationed there to watch the Motions of the Enemy; that the Advance-Ship of the Fleet (the *Canada*) chased the *Lord Hawke*, as did the two Frigates aforesaid, and as the *Lord Hawke* outailed those Ships, her Crew would not allow her to be brought-to, to speak to them, for fear of being impressed; and this Deponent seeing with Concern the Ships running off their Stations to no Purpose, requested the Captain of the *Lord Hawke* to hoist certain Flags that denoted the Private Signal, which this Deponent had taken to Sea with him, conceiving he could forward His Majesty's Service by using them when he saw Occasion, to prevent the King's Ships chasing unnecessarily off their Stations; that soon after the said Signals were made, the Advance-ship of the Fleet left off Chase, but the two Frigates continued the Pursuit all that and the following Day, contrary to the Expectation of this Deponent, he having frequently repeated the private Signal for the Reason above set forth, but without making any Person on board the *Lord Hawke* acquainted with the Meaning or Signification thereof, and by so doing, this Deponent meant and really supposed he was forwarding His Majesty's Service, by endeavouring to prevent the said Frigates from running off their Stations: And this Deponent further maketh Oath, that the said private Ship of War continued her Course, after losing Sight of the said Frigates, with various Winds, until the Morning of the 6th *September*, when being close in with the Land, near *Corunna*, in *Spain*, (and having previously captured seven of the Enemy's Merchant Vessels, retaken a valuable *British* Brig, and destroyed a *French* Privateer,) she fell in with and cap-

P tured

tured the *Spanish* Packet *La Edad de Oro*, which she came up with and boarded, having first preserved the Mail of the Packet that had been thrown overboard, and was sinking, when one of the People belonging to the *Lord Hawke* jumped into the Water, and saved it from being lost: That the said Packet at this Time was a League or thereabout, from *Corunna* aforesaid, where a Line of Battle Ship, two Frigates, and several Privateers belonging to the Enemy, then lay at Anchor; that at the Time of the said Capture, this Deponent observed two large Ships, (which afterwards proved to be His Majesty's Ships *La Nymph* and *Aurora*) one about four Leagues to the Westward, and the other about the same Distance, or rather further to the North-east, or to Leeward, and consequently they were about eight Leagues apart, and not in Company with the *Lord Hawke*, or with each other, at the Time of the Capture of the said *Spanish* Packet by the *Lord Hawke*: And this Deponent further maketh Oath, that at the Time the said Capture was made, none of the Crew of the *Lord Hawke* could discover what those strange Ships were, and fearing they should be two of the Enemy's Ships of War, the Captain of the said private Ship of War, immediately after taking Possession of the Packet his said Prize, wore round, and made all sail off Shore to the Northward, as well to avoid any Ships or Vessels that might push out of *Corunna* after him, as to get clear of the two strange Ships aforesaid: And this Deponent further maketh Oath, that the said strange Ships chased the *Lord Hawke* and her Prize, from about Ten o'Clock in the Morning, when she was taken, until between Six and Seven in the Evening (between eight and nine Hours) when having run about eight Leagues from the Place where the Capture was made, they were still six or seven Miles distant from each other, and it having appeared likely to fall calm in the Afternoon, this Deponent made the private Signal to the Ship to Windward, by Way of ascertaining if she was a Friend, or an Enemy, as this Deponent supposed, if it fell calm they would send their Boats to board the *Lord Hawke* and her Prize, which, if they did after dark, fatal Consequences might have ensued, from the Impossibility of knowing at that Distance what she was (the *Nymph* being a *French* built Ship): And this Deponent further saith, that he made the private Signal as before set forth, to prevent any Accident happening, and by his so doing, two Boats only were dispatched from the strange Ships (on its falling calm) to board the Privateer and her Prize; whereas six or eight Boats, well armed, would have been absolutely necessary to have been sent on that Service, (at the Distance the Ships were off) had not this Deponent made the private Signal, and thereby

thereby prevented the Possibility of an Accident happening, from the natural Right small Vessels have to keep off the Boats of strange distant Ships that may attempt to board them after dark : And this Deponent lastly maketh Oath, that during the Time the private Signals were in his Possession, he never committed them to the Care or Disposal of any other Person ; and that from the Time they were in the Possession of this Deponent, until he delivered them to Mr. NEPEAN, at the Admiralty, on his Arrival in *London*, (with the first Account of the said Packet and her Mail having been taken) he never misapplied them, or communicated them to any Person whatever, but only used them himself in the Manner before stated, for the Good of his Majesty's Service.

NICHOLAS TOMLINSON.

BOROUGH of CLIFTON,
DARTMOUTH HARDNESS, }
Sworn before me this 21st }
Day of *March*, 1799. }

ROBERT HOLDSWORTH, JUSTICE.

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MICHAEL A. TOMLINSON



Z.

PENDOCK NEALE, Commander of the private Ship of War *Lord Hawke*, and ROBERT WRIGHT, Surgeon of the said private Ship of War, jointly and severally make Oath and say, That they, these Deponents, were on board the said private Ship of War the *Lord Hawke*, on a Cruize, on the Eighth and Ninth Days of *August* last, when she was chased by two Frigates, appearing to be *English*, and which these Deponents have since been informed, were His Majesty's Frigates the *Stag* and *Ambuscade*; that the *Lord Hawke* outailed the said two Frigates, and the Crew belonging to the *Lord Hawke* would not allow her to be brought-to, to speak them, for fear of being impressed; and these Deponents say, That NICHOLAS TOMLINSON, Esq. Captain in His Majesty's Navy, who was then on board the said Privateer *Lord Hawke*, on his Passage to *Oporto*, expressed his Concern to these Deponents, that the said Frigates should run off from their Stations after the *Lord Hawke* to no Purpose, and then the said NICHOLAS TOMLINSON requested the said Deponent PENDOCK NEALE to hoist a Flag at the Main-top-mast Head, and another at the Fore-top-mast Head, but without informing these Deponents, or any other Person on board, the Meaning of those Signals, or either of them: That the said Frigates still continuing in Chase of the *Lord Hawke*, the said NICHOLAS TOMLINSON again expressed great Uneasiness on Account of their following her (as he supposed) off their Stations, as they could not come up with her; and in the Hope they would leave off the Chase, the same Signals were again repeated: and the said Deponent PENDOCK NEALE, for himself saith, that at the Time the said Signals were made, he this Deponent was kept perfectly unacquainted with their Meaning or Signification; and that they were never intrusted to his Care or Disposal, or any other Person belonging to the said private Ship of War the *Lord Hawke*: And that on the said NICHOLAS TOMLINSON's quitting her, on returning from her Cruize to *Plymouth*, he the said NICHOLAS TOMLINSON took them on Shore with him; and that on all Occasions the said Signals were considered and only used, as he this Deponent believes, to prevent His Majesty's Ships from chasing the *Lord Hawke*, or drawing them off their Stations: And these Deponents further say, that the Cruize of the said Privateer *Lord Hawke* was to have finished in the *Mediterranean Sea*, after having cruized through the *Bay of Biscay*,

Q

and

and on the *Spanish Coast*: That the said NICHOLAS TOMLINSON had taken his Passage to go to *Oporto* aforesaid, in the said Privateer *Lord Hawke*, where she was to have landed him, prior to her Departure from thence to the *Mediterranean*, but having sent away all the Prize-Masters and Officers, the said Deponent PENDOCK NEALE found it necessary to bear away for *England*, to recover his Officers and Men, which had been dispatched in Prizes, all of which were taken to the Eastward of *Cape Finisterre*: And lastly, these Deponents make Oath and say, that the said Privateer *Lord Hawke* never got round the said *Cape*, during the Time the said NICHOLAS TOMLINSON was on board her.

PENDOCK NEALE.

ROBERT WRIGHT.

Sworn at the BOROUGH of PLYMOUTH,
in the COUNTY of DEVON, this
Seventh Day of January, One thou-
sand, seven hundred, and ninety-
nine, before me,

TUBAL LEWIS,

A MASTER EXTRAORDINARY IN CHANCERY.



(No. 4.)

J. Dupliss

ADMIRALTY-OFFICE, 20th Nov. 1798.

SIR,

I AM commanded by my Lords Commissioners of the Admiralty, to acquaint you, that on a Consideration of all the Circumstances you have stated in your Justification, on the Subject of the Complaint exhibited against you, on account of your Proceedings on board the Lord Hawke Privateer, they have thought it their Duty to order your Name to be struck off the List of Captains of the Royal Navy.

I am, SIR,

Your very humble Servant,

EVAN NEPEAN.

N. TOMLINSON, Esq. Town.

This Letter was not received till the 13th of *December*, 1798.

(No. 1)

Admiralty-Office, 20th Nov. 1798.

SIR,

I AM commanded by my Lords Commissioners of the Admiralty, to acquaint you, that on a Consideration of all the Circumstances you have stated in your Justification, on the Subject of the Complaint exhibited against you, on account of your being on board the Lord Hawke Privateer, they have thought it proper to order your Name to be struck off the List of Captains of the Royal Navy.



I am, Sir,

Your very humble Servant,

EVAN NEPHEW.

Town.

M. Thompson, Esq.

This Letter was not received till the 18th of December, 1798.